

**ZB# 05-02**

**Dennis Guiney**

**39-4-9**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 3-14-05*

**ZBA #05-02** DENNIS GUINEY (AREA) —  
16 VALEWOOD DR. (39-4-9)



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE ZONING BOARD OF APPEALS

July 1, 2005

Dennis & Karin Guiney, Jr.  
16 Valewood Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-02

Dear Mr. & Mrs. Guiney:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**NEW WINDSOR ZONING BOARD OF APPEALS**

SBL: 39-4-9

In the Matter of the Application of

**DENNIS & KARIN GUINEY**

**MEMORANDUM OF  
DECISION GRANTING**

**AREA**

**CASE #05-02**

**WHEREAS, Dennis & Karin Guiney**, owner(s) of 16 Valewood Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for Variance of 300-10 Use/Bulk Tables R-4:

2 ft. Side Yard Setback (Column F)

6 ft. Rear Yard Setback (Column G)

**WHEREAS**, a public hearing was held on MARCH 14, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The applicant seeks to build and addition on the side of the existing one-family house and convert the existing deck to a room and move it to the side of the house.

- (c) In building the addition, the applicant will not divert the flow of water drainage or create the ponding or collection of water.
- (d) In building the addition, the applicant will not be removing any trees or substantial vegetation.
- (e) If the additions are allowed, the house will be similar in size and appearance to other houses in the neighborhood.
- (f) The proposed additions do not interfere with any easements including, but not limited to, water, sewer or electrical easements

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Variance of 300-10 Use/Bulk Tables R-4:

2 ft. Side Yard Setback (Column F)

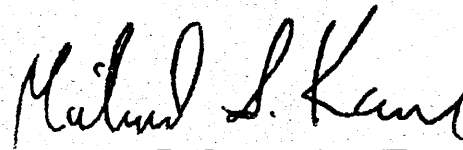
6 ft. Rear Yard Setback (Column G)

For proposed addition at 16 Valewood Drive in an R-4 Zone (39-4-9) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: MARCH 14, 2005

A handwritten signature in cursive script, reading "Michael S. Kuntz", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE:** 11/18/04

**APPLICANT:** Dennis & Karin Guiney  
16 Valewood Drive  
New Windsor, NY 12553

**COPY**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:** 11/18/04

**FOR :** Dennis & Karin Guiney


**LOCATED AT:** 16 Valewood Drive

**ZONE:** R-4    **Sec/Blk/ Lot:** 39-4-9

**DESCRIPTION OF EXISTING SITE:**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:** 300-10 Use/Bulk Tables R-4 Zone

1. Variances are required for Line 6, Column F: Side yard (2ft)    Line 6, Column G: Rear yard (6ft)

  
**BUILDING INSPECTOR**

**PERMITTED****PROPOSED OR  
AVAILABLE:****VARIANCE  
REQUEST:**

**ZONE: R-4    USE: Single Family  
Dwelling**

**MIN LOT AREA:**

**MIN LOT WIDTH:**

**REQ'D FRONT YD:**

**REQ'D SIDE YD:            20ft**

**18ft**

**2ft**

**REQ'D TOTAL SIDE TD: 40ft**

**49ft2in**

**N/A**

**REQ'D REAR YD:            50ft**

**44ft**

**6ft**

**REQ'D FRONTAGE:**

**MAX BLDG HT:**

**FLOOR AREA RATIO:**

**MIN LIVABLE AREA:**

**DEV COVERAGE:**

**cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP**



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

LOU

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

NOV 10 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 2004-1420

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Dennis & Karin Guiney

Address 112 Valewood Drive Phone # 502-8735

Mailing Address same Fax # \_\_\_\_\_

Name of Architect Paul Cuomo

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor Genesis Construction

Address 31 Clearview Dr. Wallkill Phone 517-4718

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the See survey side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated R4 Is property a flood zone? Y N ✓

3. Tax Map Description: Section 39 Block 4 Lot 9

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy 1 fam. dwelling Intended use and occupancy 1 fam. dwelling

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear 30 Depth 40 Height 15 No. of stories 1

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas ☒ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_

Fee

50.00

CK # 1322

**ZONING BOARD**

**PAID**

APPLICATION FOR BUILDING PERMITS  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinance

date

11.03.10

11.03.04  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Karin Guiney  
(Signature of Applicant)

116 Valewood Dr.  
(Address of Applicant)

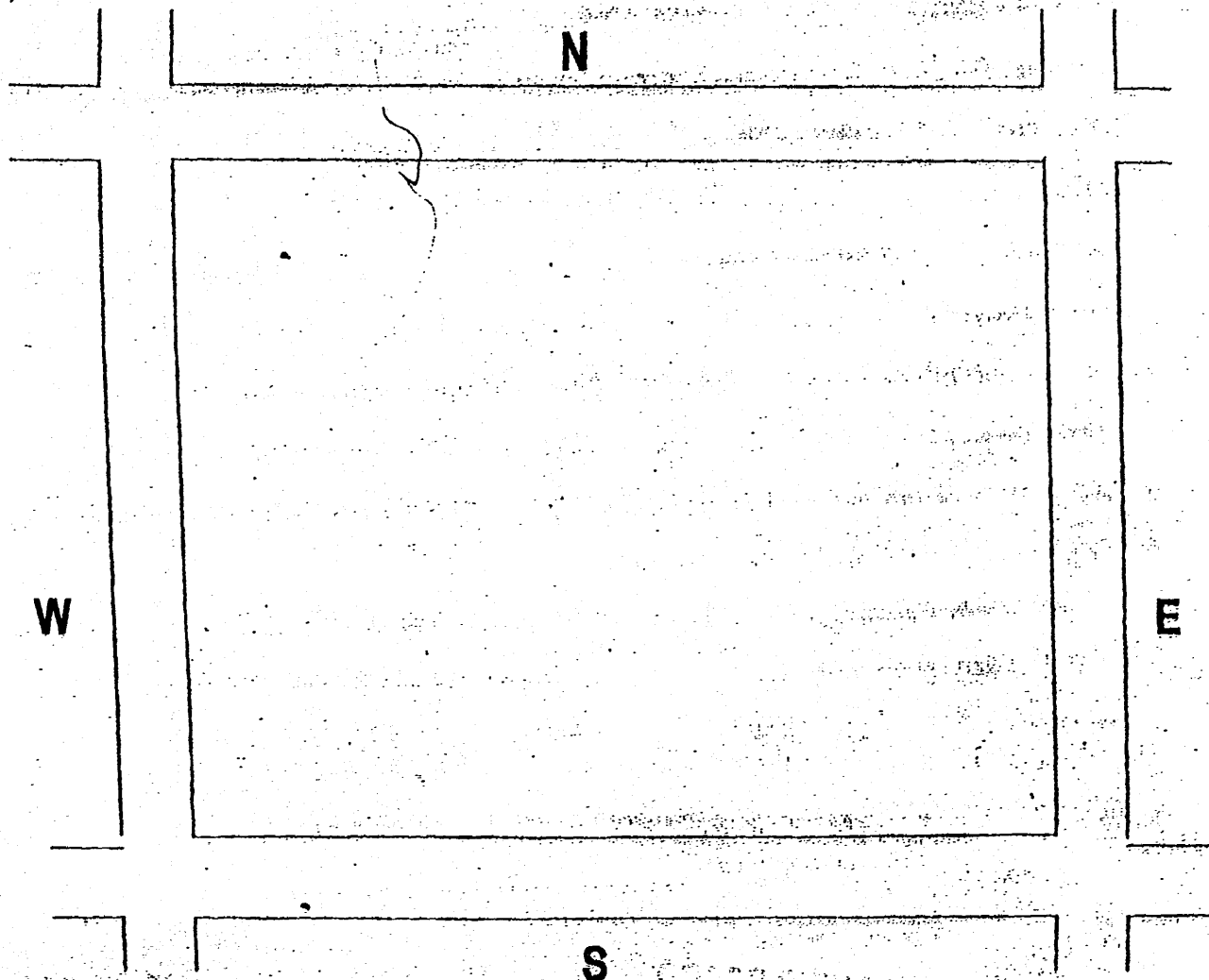
Karin Guiney  
(Owner's Signature)

Same  
(Owner's Address)

PLOT PLAN

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OR CONSTRUCTION

JOY

Street line

concrete curb

# VALEWOOD DRIVE

(PAVED)

50.0'

concrete curb

overhead wires

GAS VALVE

utility pole

0.5' d

N 86 04 00 E 100.00'

40.0'

concrete sidewalk

overhead wires

gas meter

31.2'

ONE STORY  
WOOD FRAME  
DWELLING  
HSE # 16

Lands N/F  
BUCHOWIECKI  
FILED MAP LOT # 14

ADJOINERS  
CHAIN LINK  
FENCE

Lands  
WONDS  
FILED M.

N 03 56 00 W 125.00'

26.2'

concrete patio

steps

16

44'

60.2'

PAVED DRIVEWAY

wood shed

0.5' d

S 03 56 00 E 125.00'

ADJOINERS  
CHAIN LINK  
FENCE

S 86 40 00 W 100.00'

35.4'

2.0'

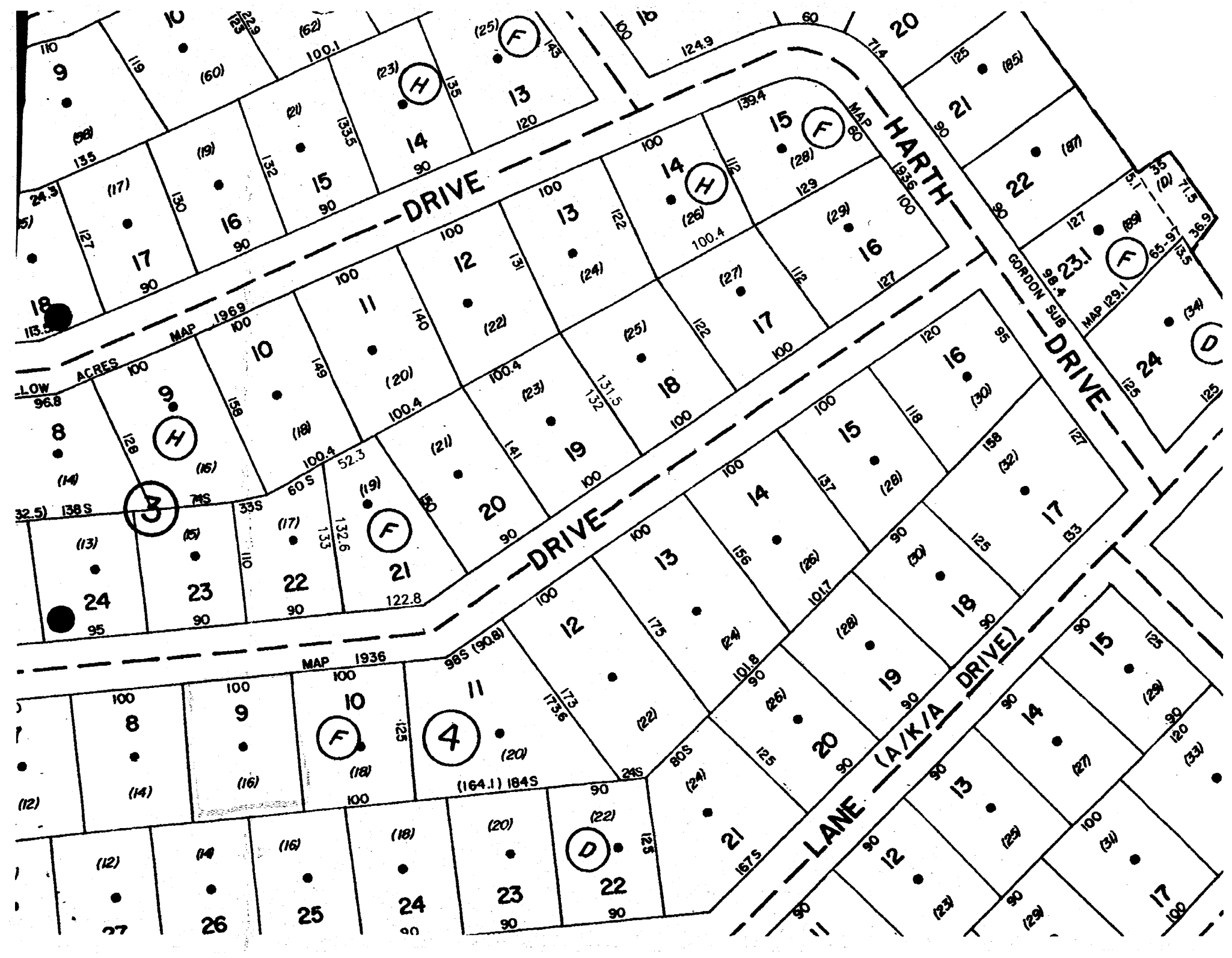
WOVEN WIRE FENCE

2.0'

0.5' d

Lands N/F

Lands N/F  
THOMAS





REAR SIDE OF  
PROPOSED ADDITION



FRONT SIDE OF  
PROPOSED ADDITION



FRONT VIEW OF HOUSE

DENNIS & KARIN GUINEY  
16 VALEWOOD DRIVE  
562-8735

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: MARCH 29, 2005**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 153.72 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-02**

**NAME & ADDRESS:**

**Dennis & Karin Guiney, Jr.  
16 Valewood Drive  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.03-29-2005**





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-02      TYPE: AREA      TELEPHONE: 562-8735

APPLICANT Name & Address:

**Dennis & Karin Guiney, Jr.**  
**16 Valewood Drive**  
**New Windsor, NY 12553**

RESIDENTIAL:	\$ 50.00	CHECK #1331
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK #1332



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u>	PAGES	\$ <u>   </u>	\$ <u>   </u>
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u>   </u>	PAGES	\$ <u>   </u>	\$ <u>   </u>

Legal Ad: Publish Date 2/21/05      \$ 43.28

TOTAL:      \$ 76.28      \$ 70.00



ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 146.28

AMOUNT DUE:      \$    

REFUND DUE:      \$ 153.72

Cc:

L.R. 03-29-2005

January 10, 2005

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DENNIS & KAREN GUINEY (05-02)

MR. KANE: Request for 2 ft. side yard setback and 6 ft. rear yard setback for proposed addition at 16 Valewood Drive.

Mr. and Mrs. Dennis Guiney appeared before the board for this proposal.

MR. KANE: Come on up, tell us what you want to do.

MR. GUINEY: We want to add a 16 x 16 room on the back of the house and bump the side out by 8 feet and we fall short on the side by two feet and six feet in the rear.

MR. REIS: If this is approved with this extension and expansion would it go over any easements or right-of-ways?

MR. GUINEY: No.

MR. KANE: Septic, town water?

MR. GUINEY: Town water.

MR. KANE: Sewer?

MR. GUINEY: And sewer.

MS. GANN: What would the addition be, what would it be used for?

MR. GUINEY: Well, the side of the house would be, we'll expand the living room and dining room and this room would be a playroom for the kids, just a family room. When we bought the house, we had no children. They took up more room than I thought.

MR. KANE: Be cutting down any trees or substantial

vegetation in the building of the addition?

MR. GUINEY: No, couple bushes on the side.

MR. KANE: Create any water hazards or runoffs?  
There's some specific questions that we have to ask.

MR. GUINEY: No.

MR. KANE: In the building of the house, will the house be similar in size and nature to other homes in the neighborhood?

MR. GUINEY: Yes.

MR. KANE: Mike, we don't have a problem, there's no problem on developmental coverage, is there?

MR. BABCOCK: There doesn't appear to be, Mr. Chairman.

MR. KANE: The addition is not going to extend any higher than the height of the house right now?

MR. GUINEY: No.

MR. KANE: Is that going to go right over here? Where are you going to put your addition?

MR. GUINEY: It's going to be here. This is the side of the house, we're going to come 8 feet and this is the back of the house.

MR. KANE: So you're going to go around that?

MR. GUINEY: Yes. Next door neighbor did the same thing, that's where we got the idea from.

MR. KANE: Any other questions? I'll accept a motion.

MR. RIVERA: I'll make a motion that we set up Dennis &

January 10, 2005

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Karen Guiney for their requested variance of two foot side yard and six foot rear yard setback.

MR. REIS: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE

PUBLIC HEARINGS:

DENNIS & KAREN GUINEY (05-02)

MR. KANE: Request for variance for 2 ft. side yard setback and 6 ft. rear yard setback for proposed addition at 16 Valewood Drive.

Mr. Dennis Guiney appeared before the board for this proposal.

MR. KANE: Just like the preliminary, you want to tell us exactly what you want to do, sir.

MR. GUINEY: Yes, we want to add eight foot, we want to push the side of the house out by 8 feet and we need a two foot variance for that and we want to put a 16 x 16 room on the back where the existing deck is, we need a 6 foot variance for that and we want to move the deck over to the side.

MR. KANE: Okay, in the building of the addition will you be cutting down any trees or substantial vegetation?

MR. GUINEY: No.

MR. KANE: Creating any water hazards or runoffs?

MR. GUINEY: No.

MR. KANE: Will the house still be similar in size and nature to other homes in your neighborhood?

MR. GUINEY: Yes.

MR. KANE: Will you be going over any septic?

MR. GUINEY: No.

MR. KANE: Town water and sewer?

MR. GUINEY: Yes.

MR. REIS: You're not encumbered by any easements or right-of-ways?

MR. GUINEY: No.

MR. KANE: Would you have 50 feet back there, Mike?

MR. BABCOCK: Yes, today that's the new zoning.

MR. GUINEY: My neighbor did the same addition that we want to do.

MR. KANE: At this point, I will open it up and ask if there's anybody in the audience for this particular hearing? Nobody cares. We'll close down the public hearing and ask Myra how many mailings we had.

MS. MASON: On January 12, I mailed out 89 addressed envelopes and had no response.

MR. KANE: That's a lot. No responses.

MR. REIS: Mike, I'm sorry, was it, how big was the addition?

MR. GUINEY: I thought it was 16 x 16 and eight foot on the side, the existing house is like the existing house is 20 x 40 and we're going to bump this out 8 feet and this will be 16 x 16 and this is where the, where it's going to be right here and the deck will be moved over here. Is that what it is, 16 x 16?

MR. BABCOCK: Yeah, the deck is 16 foot 4 by 13 foot 10, the family room is 15 foot by 15 foot 6 with the rest of the house is going to be eight foot longer. Is that clear, Mike?

March 14, 2005

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MR. REIS: Thank you.

MR. KANE: Anybody have any other questions?

MS. GANN: No.

MR. RIVERA: No. Accept a motion?

MR. KANE: I will.

MR. RIVERA: Accept a motion that we grant Denis and Karen Guiney the requested variance for the two foot side yard setback, 6 foot rear yard setback for proposed addition at 16 Valewood Drive.

MR. REIS: Second it.

ROLL CALL

MS. GANN	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: March 14, 2005

PROJECT: Karix + Dennis Guirey ZBA # 05-02  
P.B.# \_\_\_\_\_

**P.B.#** \_\_\_\_\_

**USE VARIANCE:      NEED: EAF      PROXY**

**LEAD AGENCY:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**APPROVED: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y\_\_\_\_\_N\_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN \_\_\_\_\_  
 LOCEY \_\_\_\_\_  
 RIVERA \_\_\_\_\_  
 MCDONALD \_\_\_\_\_  
 REIS \_\_\_\_\_  
 KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M) LY S) KS VOTE: A 4 N 0.

GANN   H    
~~LOCEY~~  
RIVERA   A    
~~MCDONALD~~  
REIS   A    
KANE   A  

**CARRIED:** Y ✓ N ~~0~~.

[illegible]



**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

**KARIN & DENNIS GUINEY JR.**

# AFFIDAVIT OF SERVICE BY MAIL

#05-02

## X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 12TH day of JANUARY, 2005, I compared the 89 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra Mason  
Myra L. Mason, Secretary

14<sup>th</sup> day of February, 2005

  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

January 7, 2005

Karin & Dennis Guiney JR.  
16 Valewood Dr.  
New Windsor, NY 12553

Re: 39-4-9 ZBA# 05-02 (89)

Dear Mr. and Mrs. Guiney:

According to our records, the attached list of property owners are within five hundred (500) feet  
Of the above referenced property.

The charge for this service is \$105.00, minus your deposit of \$25.00.

Please remit the balance of \$80.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/lk  
Attachments

CC: Myra Mason, Zoning Board

39-2-7  
Edward J. Jr. & Bethann Yano  
54 Harth Dr.  
New Windsor, NY 12553

39-2-8  
Philip & Linda Schulman  
56 Harth Dr.  
New Windsor, NY 12553

39-2-9  
Lawrence & Mary McGuire  
58 Harth Dr.  
New Windsor, NY 12553

39-2-10  
Thomas & Arlene Olszewski  
60 Harth Dr.  
New Windsor, NY 12553

39-2-13  
Eric & Kimberly Caban  
25 Cresthaven Dr.  
New Windsor, NY 12553

39-2-14  
Natalie Tague Shaffer  
23 Cresthaven Dr.  
New Windsor, NY 12553

39-2-15  
Robert Leetch  
21 Cresthaven Dr.  
New Windsor, NY 12553

39-2-16  
Barbara Moore & Majorie Rice  
361 Knob Hill Blvd.  
Boca Raton, FL 33431

39-2-17  
William King  
17 Cresthaven Dr.  
New Windsor, NY 12553

39-2-18  
John & Eileen Sweeney  
15 Cresthaven Dr.  
New Windsor, NY 12553

39-2-19  
Brian & Eileen Doyle  
13 Cresthaven Dr.  
New Windsor, NY 12553

39-2-20  
Harold Johnson Jr.  
11 Cresthaven Dr.  
New Windsor, NY 12553

39-2-21  
Kenneth & Maureen Smith  
9 Cresthaven Dr.  
New Windsor, NY 12553

39-3-4  
Joseph Gatt  
6 Cresthaven Dr.  
New Windsor, NY 12553

39-3-5  
Carlos & Virgenmina Gomez  
8 Cresthaven Dr.  
New Windsor, NY 12553

39-3-6  
Leonard & Carolyn Mortimer  
10 Cresthaven Dr.  
New Windsor, NY 12553

39-3-7  
Anthony Whyte & Juliet White  
12 Cresthaven Dr.  
New Windsor, NY 12553

39-3-8  
John Bennett Sr. & Candace Rist  
14 Cresthaven Dr.  
New Windsor, NY 12553

39-3-9  
Geo & Gladys Brooks  
16 Cresthaven Dr.  
New Windsor, NY 12553

39-3-10  
Harry & Doris Bonnett  
18 Cresthaven Dr.  
New Windsor, NY 12553

39-3-11  
Daniel & Lori Canissario  
20 Cresthaven Dr.  
New Windsor, NY 12553

39-3-12  
Herbert & Karen Pratt  
22 Cresthaven Dr.  
New Windsor, NY 12553

39-3-13  
George Jr. & Francis Backofen  
24 Cresthaven Dr.  
New Windsor, NY 12553

39-3-14  
Eugene Loughran  
26 Cresthaven Dr.  
New Windsor, NY 12553

39-3-17  
Frank & Filomena Cantoli  
27 Valewood Dr.  
New Windsor, NY 12553

39-3-18  
Dominick & Katherine Citta  
25 Valewood Dr.  
New Windsor, NY 12553

39-3-19  
Glenn & Monica Donato  
23 Valewood Dr.  
New Windsor, NY 12553

39-3-20  
Roland & Evelyn De Agostino  
21 Valewood Dr.  
New Windsor, NY 12553

39-3-21  
Edwin Jr. & Janet Rodriquez  
19 Valewood Dr.  
New Windsor, NY 12553

39-3-22  
Salvatore Vecchio  
17 Valewood Dr.  
New Windsor, NY 12553

39-3-23  
William & Eleanora Hightower  
15 Valewood Dr.  
New Windsor, NY 12553

39-3-24  
Christopher Sweeney  
13 Valewood Dr.  
New Windsor, NY 12553

39-3-25  
Kenneth & Rosalie Parker  
11 Valewood Dr.  
New Windsor, NY 12553

39-3-26  
Dawn Olszewski  
9 Valewood Dr.  
New Windsor, NY 12553

39-3-27  
Michele Stoute  
7 Valewood Dr.  
New Windsor, NY 12553

39-3-28  
Robert & Therese Zupitza  
5 Valewood Dr.  
New Windsor, NY 12553

39-4-3  
Roy & Dolores Dewitt  
4 Valewood Dr.  
New Windsor, NY 12553

39-4-4  
Rosemary Coyle  
6 Valewood Dr.  
New Windsor, NY 12553

39-4-5  
Louis & Marion Randall  
8 Valewood Dr.  
New Windsor, NY 12553

39-4-6  
Phyllis Scherf  
10 Valewood Dr.  
New Windsor, NY 12553

39-4-7  
Richard & Angela Coltery  
12 Valewood Dr.  
New Windsor, NY 12553

39-4-8  
Michael & Janice Suchowiecki  
14 Valewood Dr.  
New Windsor, NY 12553

39-4-10  
Heriberto Velez & Norma Rodriquez  
18 Valewood Dr.  
New Windsor, NY 12553

39-4-11  
Edward & Robin Klouda  
20 Valewood Dr.  
New Windsor, NY 12553

39-4-12  
Richard & Kathleen Fenwick  
22 Valewood Dr.  
New Windsor, NY 12553

39-4-13  
Soren & Susan Lindberg  
24 Valewood Dr.  
New Windsor, NY 12553

39-4-14  
Karl Zachow  
26 Valewood Dr.  
New Windsor, NY 12553

39-4-15  
Pat & Sarah De Giorgio  
28 Valewood Dr.  
New Windsor, NY 12553

39-4-19  
William Jr. & Florence Hasbrouck  
28 Birchwood Dr.  
New Windsor, NY 12553

39-4-20  
Elizabeth Mulligan  
26 Birchwood Dr.  
New Windsor, NY 12553

39-4-21  
Irvin Roller, Linda Maher, Lisa Fisch,  
Laura Aulogia & Lizabeth Averin  
24 Birchwood Dr.  
New Windsor, NY 12553

39-4-22  
Steven & Pearce Teresita  
22 Birchwood Dr.  
New Windsor, NY 12553

39-4-23  
Charles & Ann Rhodes  
20 Birchwood Dr.  
New Windsor, NY 12553

39-4-24  
Marlene Babicz  
18 Birchwood Dr.  
New Windsor, NY 12553

39-4-25  
Warren Tavetian  
16 Birchwood Dr.  
New Windsor, NY 12553

39-4-26  
Matthew Satenberg & Jacqueline Betz  
14 Birchwood Dr.  
New Windsor, NY 12553

39-4-27  
Mary Ann Weisner & Mary Puglisi  
12 Birchwood Dr.  
New Windsor, NY 12553

39-4-28  
Dennis Monahan  
10 Birchwood Dr.  
New Windsor, NY 12553

39-4-29  
Roger Johnston & Lucille Coleman  
8 Birchwood Dr.  
New Windsor, NY 12553

39-4-30  
John & Eunice McKee  
6 Birchwood Dr.  
New Windsor, NY 12553

39-4-31  
Eleanor Harris  
4 Birchwood Dr.  
New Windsor, NY 12553

34-4-32  
Harriet O'Dell  
2 Birchwood Dr.  
New Windsor, NY 12553

39-5-1  
Eric & Celine Maxwell  
1 Birchwood Dr.  
New Windsor, NY 12553

39-5-2  
Jonah & Farrell Eisenberg  
3 Birchwood Dr.  
New Windsor, NY 12553

39-5-3  
Janet Puglia  
5 Birchwood Dr.  
New Windsor, NY 12553

39-5-4  
Nazire Fuat  
7 Birchwood Dr.  
New Windsor, NY 12553

39-5-5  
Tomasz & Dorota Trzensniewski  
9 Birchwood Dr.  
New Windsor, NY 12553

39-5-6  
Rose Spart  
11 Birchwood Dr.  
New Windsor, NY 12553

39-5-7  
Harry Tompkins III  
13 Birchwood Dr.  
New Windsor, NY 12553

39-5-8  
William & Lynn Corti  
15 Birchwood Dr.  
New Windsor, NY 12553

39-5-9  
Daniel & Diane Loughran  
17 Birchwood Dr.  
New Windsor, NY 12553

39-5-10  
Thomas & Patricia Schroeder  
19 Birchwood Dr.  
New Windsor, NY 12553

39-5-11  
Thomas & Zillah Stacklum  
21 Birchwood Dr.  
New Windsor, NY 12553

39-5-12  
Manfred & Ofelia Muller  
23 Birchwood Dr.  
New Windsor, NY 12553

39-5-21  
Aaron Riley  
23 Hudson Street  
New Windsor, NY 12553

39-5-22  
Michael & Catherine Thompson  
21 Hudson Dr.  
New Windsor, NY 12553

39-5-23  
Stephanie Wajda  
226 Leslie Ave.  
New Windsor, NY 12553

39-5-24  
Gina Mahoney  
17 Hudson Dr.  
New Windsor, NY 12553

39-5-25  
Robert Jr. & Linda Thompson  
15 Hudson Dr.  
New Windsor, NY 12553

39-5-26  
Brian & Angela Maxwell  
13 Hudson Dr.  
New Windsor, NY 12553

39-5-27  
Michael & Frances Maxwell  
11 Hudson Dr.  
New Windsor, NY 12553

39-5-28  
Rhoda Smith  
9 Hudson Dr.  
New Windsor, NY 12553

39-5-29  
Keith Cuomo & Veronica Chevere  
7 Hudson Dr.  
New Windsor, NY 12553

39-5-30  
Manuel & Diana DeSousa  
5 Hudson Dr.  
New Windsor, NY 12553

39-5-31  
Raymond & Janet Sullivan  
3 Hudson Dr.  
New Windsor, NY 12553

43-1-18  
Alice Rae Kurman  
12 Hudson Dr.  
New Windsor, NY 12553

43-1-19  
David & Debra Albrecht  
14 Hudson Dr.  
New Windsor, NY 12553

43-1-20  
Erol Ozkural  
16 Hudson Dr.  
New Windsor, NY 12553

43-1-21  
Ellen Baylis  
18 Hudson Dr.  
New Windsor, NY 12553

**PUBLIC HEARING NOTICE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-02  
Request of DENNIS & KARIN GUINEY, JR.  
for a VARIANCE of the Zoning Local Law to Permit:  
Variance of 300-10 Use/Bulk Tables R-4:  
2 ft. Side Yard Setback (Column F)  
6 ft. Rear Yard Setback (Column G)  
For proposed addition at 16 Valewood Drive in an R-4  
Zone (39-4-9)

PUBLIC HEARING will take place on FEBRUARY  
28, 2005 at the New Windsor Town Hall, 555 Union Avenue,  
New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE, CHAIRMAN

**Ad Number: 1733067 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

**INVOICING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

**ORDER:**

Printed By: THRFODRIL Date: 02/17/2005 Assigned Sales: PUBLICHEARINGNOTICE ZONINGBOARD OF APPEAL AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES: ok loc

Change Reason:

**INSERTION:**

Product: THN Paper: IN Class: 999X

Schedule: Start Date - 02/21/2005 End Date - 02/21/2005

Sort: PUBLIC HEARING NOTICE ZONING BOARD OF APP

**PRODUCTION:**

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 43.28 Payment Method: BI Amount Paid: 0 Amount Owed: 43.28

Price Method: 0 (0=Normal, 1=User Met, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

05-02

# TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Patricia Foddrill**

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottawa Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that despondent is the

## **Legal Sales Representative**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

## **Legal Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

2/21/05

Signature of Representative:

*[Handwritten Signature]*

Sworn in before me this

21

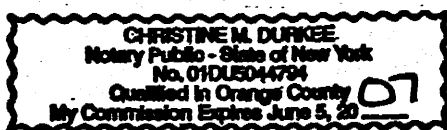
Day of

Feb

2005

*[Handwritten Signature]*

Notary Public, Orange County



SERVING THE HUDSON VALLEY AND THE CATSKILLS

# TIMES HERALD-RECORD

40 Mulberry Street, P.O. Box 2046 • Middletown, New York 10940-6357

For Inquiries Call: 845-341-1100 To Place A Classified Ad Call 845-343-7000

Please Retain This Portion For Your Records

## CLASSIFIED ADVERTISING INVOICE

CLASS	KEY
099	PUBLIC HEARING NOTICE

PHONE NUMBER	EX. CHARGES	START	STOP
845-363-4615		01/20/05	01/26/05

RATE	TIMES	LINES / INCHES
1.00	1	4.0

AMOUNT DUE  
43.28

PAYABLE IMMEDIATELY

FOR MORE QUESTIONS CALL BUSINESS OFFICE (845) 341-1100  
TO PLACE A CLASSIFIED AD CALL (845) 343-7000  
OUTSIDE OF CALLING AREA (800) 295-2181

THANK YOU

NEW WINDSOR, TOWN  
ZONING AND PLANNING  
550 UNION AVENUE  
NEW WINDSOR, NY 12553

INVOICE NUMBER  
1723076  
BILLING DATE  
1/21/05

SERVING THE HUDSON VALLEY AND THE CATSKILLS

# TIMES HERALD-RECORD

40 Mulberry Street, P.O. Box 2046 • Middletown, New York 10940-6357

For Inquiries Call: 845-341-1100 To Place A Classified Ad Call 845-343-7000

Please Return This Portion With Your Payment

## CLASSIFIED ADVERTISING INVOICE

PHONE NUMBER	KEY
845-363-4615	PUBLIC HEARING NOTICE

INVOICE NUMBER	BILLING DATE
1723076	1/21/05

NAME ON CARD
ACCT. NO.
CARD EXPIRATION DATE
AMOUNT CHARGED \$
SIGNATURE

AMOUNT DUE  
43.28

☐  ☐  ☐  ☐ 

NEW WINDSOR, TOWN  
ZONING AND PLANNING  
550 UNION AVENUE  
NEW WINDSOR, NY 12553



**PUBLIC HEARING NOTICE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-02  
Request of DENNIS & KARIN GUINEY, JR.  
for a VARIANCE of the Zoning Local Law to Permit  
Variance of 300-10 Use/Bulk Tables R-4  
2 ft. Side Yard Setback (Column F)  
6 ft. Rear Yard Setback (Column G)  
For proposed addition at 16 Valewood Drive in an R-4  
Zone (39-4-9)

PUBLIC HEARING will take place on FEBRUARY  
14, 2005 at the New Windsor Town Hall, 555 Union Avenue,  
New Windsor, New York beginning at 7:30 P.M.

**MICHAEL KANE, CHAIRMAN**

**Ad Number: 1723076 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA MASON

**INVOICING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 Union Avenue

NEW WINDSOR NY 12553

**ORDER:**

Printed By: THRFODRIL Date: 01/11/2005 Assigned Sales: PUBLICHEARINGNOTICE ZONINGBOARD OF APPEAL AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THI Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 01/20/2005 End Date - 01/20/2005

Sort: PUBLIC HEARING NOTICE ZONING BOARD OF APP

**PRODUCTION:**

Text Size: 2 x 24.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 AltAddr: N

**PRICING:**

Price: 43.28 Payment Method: B1 Amount Paid: 0 Amount Owed: 43.28

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. 05-02**

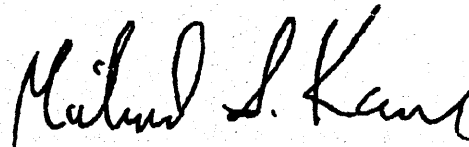
**Request of DENNIS & KARIN GUINEY, JR.**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Variance of 300-10 Use/Bulk Tables R-4:**  
**2 ft. Side Yard Setback (Column F)**  
**6 ft. Rear Yard Setback (Column G)**

**For proposed addition at 16 Valewood Drive in an R-4 Zone (39-4-9)**

**PUBLIC HEARING will take place on FEBRUARY 14, 2005**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**



RESULTS OF Z.B.A. MEETING OF: January 10, 2005

PROJECT: Karin & Dennis Huixey ZBA # 05-02  
P.B.# \_\_\_\_\_



USE VARIANCE: \_\_\_\_\_ NEED: EAF PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Rv S) Rs VOTE: A 5 N 0

GANN A  
LOCEY A  
RIVERA A  
~~MCDONALD~~  
REIS A  
KANE A

CARRIED: Y ☒ N \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_ STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_  
VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MC DONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_.

No easements  
No Trees  
No Water Hazards  
Similar in size



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

January 12, 2005

Dennis & Karin Guiney, Jr.  
16 Valewood Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE - PUBLIC HEARING

Dear Mr. & Mrs. Guiney:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

16 Valewood Drive  
New Windsor, NY

is scheduled for the February 14<sup>th</sup>, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 01-03-05

FOR: 05-02 ESCROW

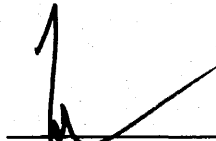
FROM:  
**KARIN & DENNIS GUINEY, JR.**  
16 Valewood Drive  
New Windsor, NY 12553

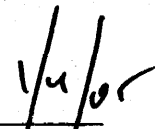
CHECK NUMBER: 1332

TELEPHONE: 562-8735

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
NAME

  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#10-2005**

01/04/2005

Guiney, Karin A. & Dennis W. #05-02

Received \$ 50.00 for Zoning Board Fees, on 01/04/2005. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk





# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **ZONING BOARD OF APPEALS**

**January 3, 2005**

**Dennis & Karin Guiney, Jr.  
16 Valewood Drive  
New Windsor, NY 12553**

**SUBJECT: REQUEST FOR VARIANCE #05-02**

**Dear Mr. & Mrs. Guiney:**

**This letter is to inform you that you have been placed on the January 10, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:**

**16 Valewood Drive  
New Windsor, NY**

**This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.**

**Very truly yours,**

---

**Myra Mason, Secretary  
Zoning Board of Appeals**

**MLM:mlm**





# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

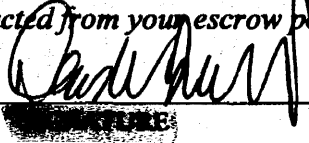
1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

**I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).**



11-28-04  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2

COMPLETE THIS PAGE 



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

11/29/04

Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Phone Number: (845) 562-8735

Fax Number: ( )

Dennis & Karin Guiney

(Name)

16 Valwood Drive New Windsor

(Address)

**II. Applicant:**

same as above

Phone Number: ( )

Fax Number: ( )

(Name)

(Address)

**III. Forwarding Address, if any, for return of escrow: Phone Number: ( )**

Fax Number: ( )

(Name)

(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number (845) 566-4718

Fax Number: ( )

Genesis Contracting

(Name)

31 Clearview Dr. Walkill, NY 12589

(Address)

**V. Property Information:**

Zone: R4 Property Address in Question: 16 Valwood Drive

Lot Size: \_\_\_\_\_ Tax Map Number: Section 39 Block 4 Lot 9

- What other zones lie within 500 feet? \_\_\_\_\_
- Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_
- When was property purchased by present owner? 1998
- Has property been subdivided previously? NO If so, When: \_\_\_\_\_
- Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- Is there any outside storage at the property now or is any proposed? shed

**\*\*\*\*PLEASE NOTE:\*\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☒**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20	18	2
Reqd. Rear Yd.	50	44	6
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

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**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The variance will not produce an undesirable change in the character of the neighborhood as the proposed changes are present in some surrounding houses and will blend in. The change would not have had much of an effect considering we decided to do this shortly after the requirements were changed to our disadvantage. The extension of 8 ft. on the side of the house would've been within code previously. The addition on the rear of the house is planned to go back just 2 ft. past where our deck presently is. We would like more space in our (small) home as we do not want to move. The proposed changes would not effect the surrounding areas physically or environmentally.

Thank you.

**PLEASE NOTE:**

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**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- \_\_\_\_\_
- \_\_\_\_\_

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 250.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

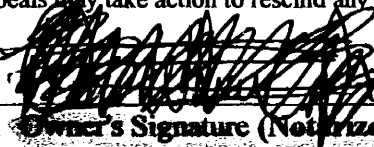
) SS.:

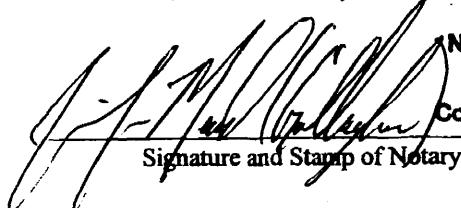
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

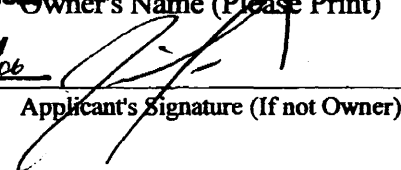
Sworn to before me this:

9 day of December 2004.

 → Karin Guiney  
Owner's Signature (Notarized) DL4438-518-864  
exp. 06-22-11

  
Signature and Stamp of Notary

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

Karin Guiney  
Owner's Name (Please Print)  
  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

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